

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
 CIVIL APPELLATE JURISDICTION
 CIVIL APPLICATION NO. 1263 OF 2005
 IN
 FIRST APPEAL NO. 768 OF 2001

Ramniklal C. Parekh ..Appellant.

V/s.

The Municipal Corpn. of Greater Bombay & Anr. ..Respondents.

AND

Kusum Ramniklal Parekh & Ors. ..Applicants.

Shri E.K. Sasidharan for the Appellant.

CORAM : S. B. MHASE, J.
 DATED : APRIL 20, 2005

PC :-

. Learned counsel for the Appellant states that for non compliance of the order dated 8th February, 2002, the matter was dismissed. He states that as per the said order, it was obligatory for the Appellant to take steps. The said order contemplates a compliance by way of submission of the paper book and decree forms; those were not submitted. The learned counsel now undertakes to submit the paper books and decree forms within a period of 4 weeks. In view of this undertaking given by the learned counsel, the civil

application is allowed. Delay in filing the C.A. is condoned. The order dated 08.02.2002, dismissing the appeal is hereby set aside and the Appeal is restored to its original position.

. The appellant is allowed to file the paper book and decree forms within a period of four weeks by way of last chance in the matter. It is further made clear that if the undertaking given is not complied with, the matter will stand dismissed as per the order dated 08.02.2002 and the claim of the appellant for restoring the matter will be permanently forfeited.

. Civil Application is disposed of accordingly.

(S.B.MHASE, J)

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